



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,648	04/11/2001	Cy A. Stein	0575/55669-Z/JPW/BJA	2605

7590

01/09/2003

John P. White, Esq.
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

EPPS, JANET L

ART UNIT

PAPER NUMBER

1635

DATE MAILED: 01/09/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Response to Amendment

1. The reply filed on 10-29-02 is not fully responsive to the prior Office Action because: The prior Office Action stated that the amendment filed 7-10-02 was non-responsive since Applicant's amendment to claim 28 was not in compliance with 37 CFR 1.121(c), since there is no amendment showing the change in claim language from a method claim to a composition claim. Moreover, Applicants have not addressed this particular issue in the amendment filed 10-29-02. Additionally, Applicant's response filed 10-29-02 states on page 8, that corrections to drawings numbered 6, 7, and 21 are attached as Exhibit C. There was no Exhibit C attached to the response filed 10-29-02. Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.
2. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).
3. The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Art Unit: 1635

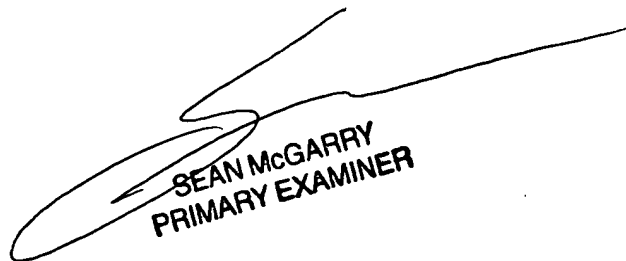
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet L Epps-Ford, Ph.D. whose telephone number is 703-308-8883. The examiner can normally be reached on M-T, Thurs-Friday 9:00AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John LeGuyader can be reached on (703)-308-0447. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-746-5143 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Janet L Epps-Ford, Ph.D.
Examiner
Art Unit 1635

JLE
January 2, 2003


SEAN MCGARRY
PRIMARY EXAMINER